

Appl. No. 10/707,152
Response Dated April 18, 2006
Reply to Final Office Action Dated November 21, 2005

REMARKS/ARGUMENTS

This amendment is filed in conjunction with a Request for Continued Examination (attached). Please reconsider the application in view of the above amendments and the following remarks. Claims 1-87 remain in this application. Claims 1 and 84 have been amended herein. Support for the claim amendments is found, for example, at Figs. 1, 2 and 10, and paragraphs [0069] and [0077]. No new matter has been added by way of these amendments.

Applicant notes with appreciation that the Examiner has allowed claims 20-83 and 85-87. The Examiner further indicated that claims 5-9 and 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim. For reasons stated below, Applicant believes that the base claims from which these claims depend are allowable and that there is no need to rewrite these claims in independent forms. Accordingly, Applicant respectfully defers rewriting the claims at this time.

Applicant assumes that the amendments to the specification and drawing made in the Response dated October 14, 2005 have been accepted.

Rejection(s) under 35 U.S.C § 102

Claims 1-4, 10, 11, 13, 14, 19 and 84 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ciglenec EP0978630. Claims 1-4, 10-14, 19 and 84 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ciglenec (2004/0160858). These rejections are respectfully traversed.

The current claims recite *inter alia* a tubular body with one or more protuberances along an axial portion thereof defining an expanded axial portion, the protuberances having a first end,

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a second end and an intermediate portion therebetween, the cross-sectional area of the expanded axial portion about the intermediate portion being less than the cross-sectional area of the expanded axial portion about at least one of the ends, and a movable probe at or near a first location on the tubular body within the intermediate portion. As shown, for example, in Figs. 1 and 2 (reproduced below) and described at paragraph [0077], the rib or protuberance (14) has centralizing sections (CS) (one or more of) at its ends and a protective section (PS) at its intermediate portion therebetween:

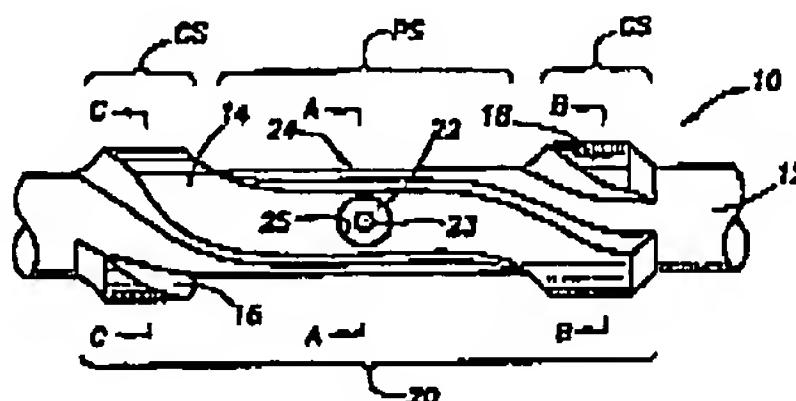


FIG. 1

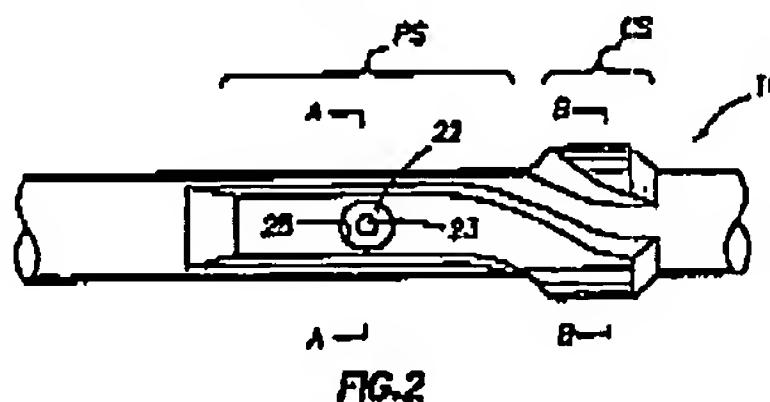


FIG. 2

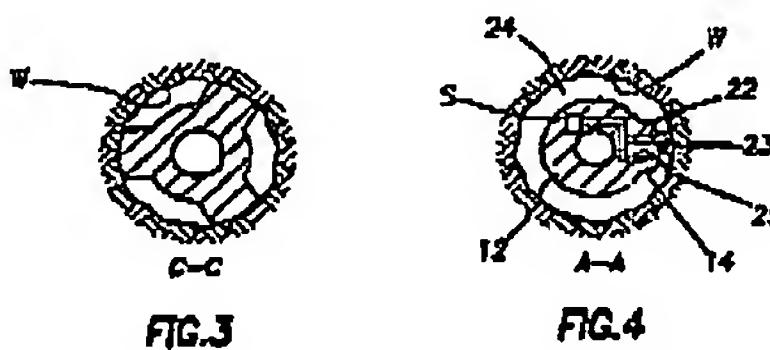


FIG. 3

FIG. 4

The cross-sectional area of the expanded axial portion at an end of the protuberance is shown in Fig. 3. The cross-sectional area of Fig. 3 is larger than the cross-sectional area of the expanded axial portion at the intermediate portion of the protuberance as shown in Fig. 4. As described in paragraph [0071], the smaller cross-sectional area of the expanded axial portion about the protective (or intermediate) section (PS) is preferably kept at a minimum to provide a larger

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flowing area in the annulus and reduce fluid velocity near the probe (22). No such features are provided by the cited art.

There is no disclosure in either Ciglenec reference of a tubular body with one or more protuberances along an axial portion thereof defining an expanded axial portion, the protuberances having a first end, a second end and an intermediate portion therebetween, the cross-sectional area of the expanded axial portion about the intermediate portion being less than the cross-sectional area of the expanded axial portion about at least one of the ends, and a movable probe at or near a first location on the tubular body within the intermediate portion. None of the figures provided by Ciglenec 20040160858 (shown below left) depict the probe in a reduced cross-sectional area of the tool. As shown below left, the probes (210) are positioned in the blades or ribs (314a), but are not positioned in a portion of the tool having a reduced cross-sectional area. *See, Ciglenec 2004/0160858, Figs. 1 and 2.*

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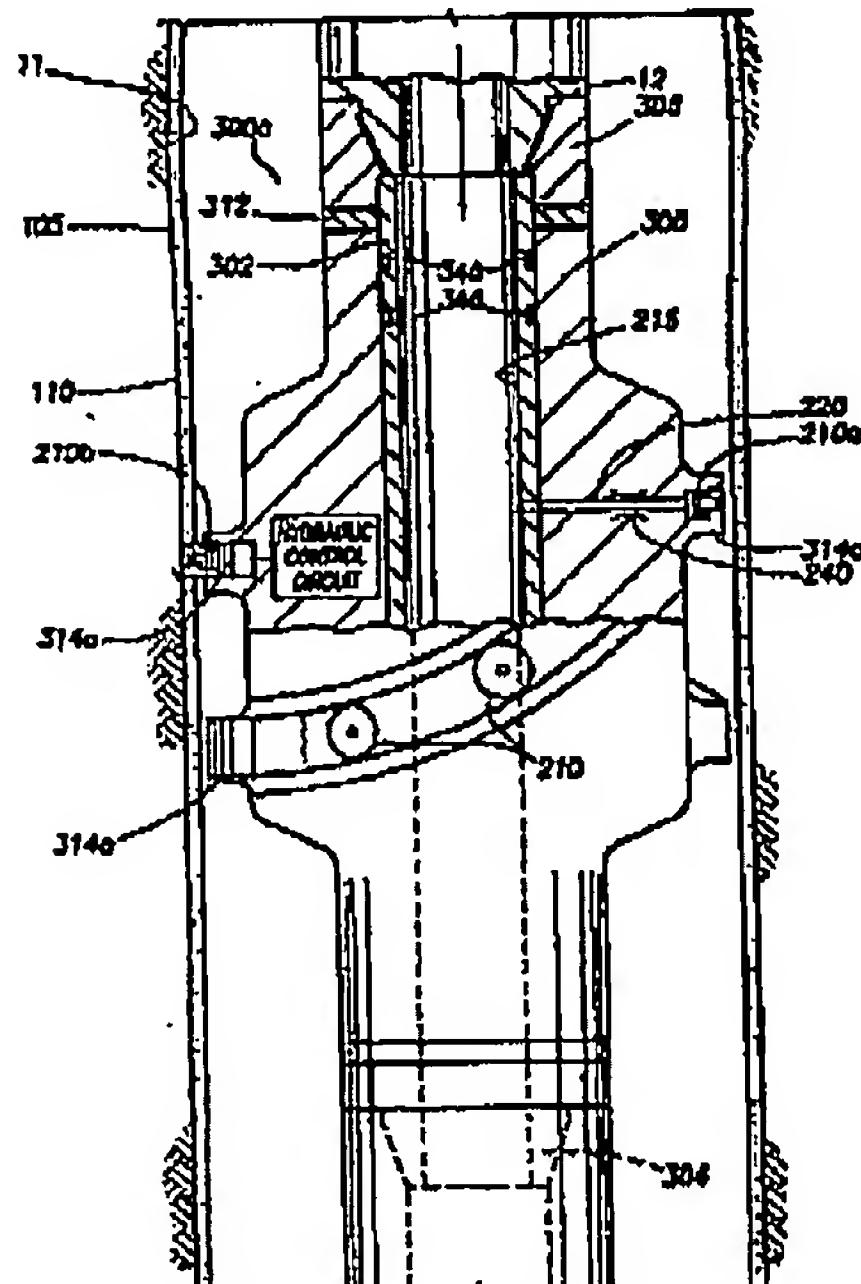


FIG. 2

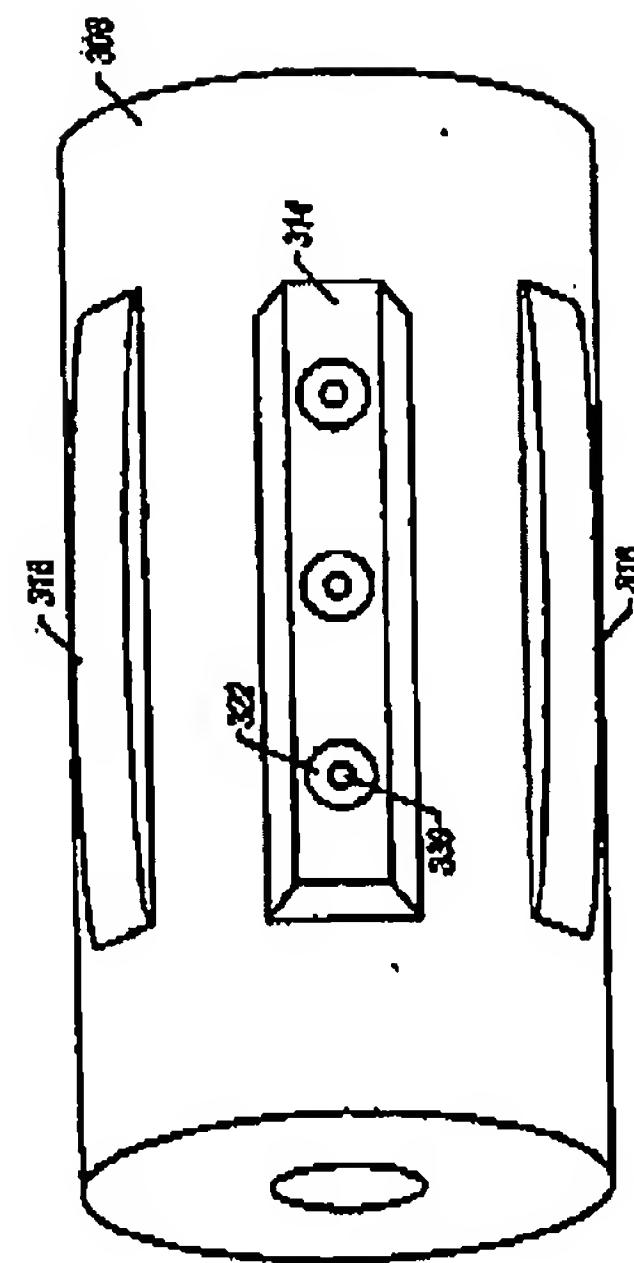


FIG. 3

Ciglenec EP0978630 teaches away from placing probes in a reduced cross-sectional area of the tool. As shown above right, the probes (322) of Ciglenec EP0978630 are positioned in blades or ribs (316), but are actually in a portion of the tool where the ribs are larger and the cross-sectional area is increased. *See, Ciglenec EP0978630, Fig. 1, 2, 3, 5 and 9.* Both Ciglenec references fail to contemplate the problem of fluid velocity through the borehole, or the solution of a reduced cross-sectional area about the probe. There is no teaching in either Ciglenec of an expanded axial portion having a cross-sectional area about the intermediate portion of the protuberance that is less than the cross-sectional area near the end of the protuberance. Thus, the Ciglenec references fail to teach at least one limitation of the claimed invention and, therefore, fail to anticipate the claimed invention.

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In view of the above, the cited art fails to anticipate or render obvious the claimed invention. Applicant, therefore, requests withdrawal of the rejection under 35 U.S.C. § 102.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the telephone number listed below.

This paper is submitted in response to the Final Office Action dated November 21, 2005, for which the three-month date for response is February 21, 2006. Applicant requests a two-month extension of time, bringing the deadline for response to April 21, 2006. Please apply any charges not covered or any credits, such as the one-month extension fee, to Deposit Account 19-0610 (Reference Number 24.0934).

Date: 4/18/06

Respectfully submitted,

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Attachment: Request for Continued Examination